

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Gwendolyn P. Evans

Docket No. 5:08-CR-80-2F

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gwendolyn P. Evans, who, upon an earlier plea of guilty to 18 U.S.C. § 286, Conspiracy to Defraud the United States by Filing False Claims With the Internal Revenue Service and 18 U.S.C. § 287, Filing False, Fictitious, and Fraudulent United States Individual Income Tax Returns, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on January 7, 2009, to the custody of the Bureau of Prisons for a term of 1 month. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 150 consecutive days. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Gwendolyn P. Evans was released from custody on April 9, 2009, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant has expressed a desire to undergo mental health counseling in order to deal with feelings of depression and stress which relate to financial and personal difficulties she is experiencing at this time. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

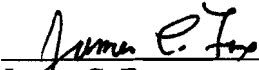
I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Dewayne L. Smith
Dewayne L. Smith
U.S. Probation Officer
1760 Parkwood Blvd., Room 201
Wilson, NC 27893-3564
Phone: (252) 237-0788
Executed On: June 29, 2010

ORDER OF COURT

Considered and ordered this 30th day of June, 2010, and ordered filed and made a part of the records in the above case.


James C. Fox
Senior U.S. District Judge